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PATENT

1623

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Chris Buhr, et al.

Serial No.: 09/408,396

Group Art Unit: 1623

Filing Date: September 29, 1999

Examiner: H. Owens, Jr.

For: NUCLEOSIDE 5'-METHYLENE PHOSPHONATES

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I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Mitchell R. Brustein  
TYPED NAME: Mitchell R. Brustein  
REGISTRATION NO.: 38,394

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

### COMMUNICATION


Enclosed are copies of references AB, AE, AG AK, AR, BM, BW, BY, CE, CG, CN, DI and DJ that were listed on the PTO Form 1449 originally filed December 7, 1999, a copy of which is attached to this communication. A copy of reference BT will not be forwarded to the U.S. Patent and Trademark Office since it is believed to be too voluminous and easily obtainable by the Examiner. A copy of the date-stamped postcard dated December 13, 1999 is also attached.

In the Office Action dated December 15, 2000, the Examiner indicated that the enclosed references had not been considered because copies of those references were not found in the parent application file. It is therefore requested that the Examiner consider the enclosed

references and return an initialed copy of the PTO Form 1449 to Applicants. A clean copy of the PTO-1449 is enclosed for your convenience.

The Commissioner is authorized to charge payment of any fees associated with this communication and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050.

Date: 4/20/2001

  
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